

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT NUMBER: 7,351,881

ISSUE DATE: 04-01-2008

APPLICATION SER. NUMBER: 10/781,979

FILING DATE: 02-19-2004

ATTORNEY DOCKET NUMBER: 2916693-015000

TITLE: AXMI-008, A DELTA-ENDOTOXIN GENE AND METHODS FOR ITS USE

Current Date: November 10, 2011

## REQUEST FOR CORRECTION OF PAYMENT DEFICIENCY UNDER 37 C.F.R. 1.28 (c)

Commissioner for Patents  
Mail Stop M Correspondence  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Owner of above-listed U.S. Patent No. 7,351,881 respectfully requests that a payment for deficiency owed regarding the 3.5-year maintenance fee be accepted by the Office. The patent maintenance fee previously paid for this matter on August 31, 2011 was paid in good faith based on a small entity status. However, due to an oversight the 3.5-year patent maintenance fee should have been paid based upon large entity status.

The total deficiency currently owed is \$640.00. The itemization of the deficiency payment is as follows:

U.S. Pat. No. 7,351,881  
Ser. No. 10/781,979  
Filing Date: 02-19-2004

Current Maint. Fee Due at 3.5 years for Large Entity:	\$1130.00
Maint. Fee Previously Paid as Small Entity:	<u>\$490.00</u>
<b>TOTAL DEFICIENCY OWED:</b>	<b>\$640.00</b>

Owner of the above-listed patent respectfully requests the Office to accept this request to increase the 3.5 year maintenance fee to large entity based upon compliance herein with 37CFR 1.28 (c). The Commissioner is hereby authorized to charge \$640.00, the deficiency owed, and any additional fee that may be due or credit any overpayment to Representative's Deposit Account No. 50-4623.

Respectfully submitted,  
/Kendal M. Sheets/

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